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GOVERNMENT OF KERALA

Public Works (D) Department

NOTIFICATIONS

I

No. 37864/D1/77/PW *Dated, Trivandrum, 1st August 1977.*

Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) in relation to the acquisition of lands for the purposes of the Union in the Kerala State;

And whereas it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose, to wit, for the formation of NH 47 (kms. 421—428) notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of section 3(1) of the said Act.

Under sub-section (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

ഇൻഡ്യൻ ഭരണഘടനയുടെ 258–ാം വകുപ്പിലെ (1)–ാം ഉപവകുപ്പ് അനുശാസിക്കുന്ന അധികാരം ഉപയോഗിച്ച് ഇൻഡ്യൻ പ്രസിഡൻറ് 1963 മേയ് 31–ാം തീയതിയിലെ നമ്പർ 2/4/63/Judl. II നോട്ടിഫിക്കേഷൻ പ്രകാരം കേരള ഗവൺമെൻറിനെ അവരുടെ സമ്മതത്തോടുകൂടി 1961–ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962–ലെ 21–ാം ആക്ററ്) പ്രകാരം കേരള സംസ്ഥാനത്തിൽ കേന്ദ്ര ഗവൺമെൻറാവശ്യത്തിനെടുക്കുവാൻ ഉദ്ദേശിക്കുന്ന ഭൂമിയെ സംബന്ധിച്ചിടത്തോളം കേന്ദ്ര ഗവൺമെൻറിൻെറ പ്രവൃത്തികൾ ചെയ്യുവാൻ ഏൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ വിവരിക്കുന്ന ഭൂമി ഒരു പൊതുകാര്യത്തിന്, അതായത് നാഷണൽ ഹൈവേ 47 (Kms. 421–428) വീതി കൂട്ടി പണിയുന്നതിന് ആവശ്യമാകാൻ ഇടയുണ്ടെന്ന് കേരള ഗവൺമെൻറിന് ബോദ്ധ്യമായിരിക്കയാലും അപ്രകാരം ആവശ്യപ്പെടുന്നു എന്ന അറിയിപ്പ് ടി ആക്ററ് 3 (1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകൾ അനുസരിച്ച് അതു സംബന്ധിച്ച എല്ലാ പേർക്കും നൽകിയിരിക്കുന്നു.

ടി ആക്ററ് 19–ാം വകുപ്പ് –ാം ഉപവകുപ്പു പ്രകാരം ഈ സംഗതിയുടെ അടിയന്തിരാവസ്ഥ പരിഗണിച്ച് ഇതിൽ ടി ആക്ററ് 5–ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ബാധകമല്ലെന്ന് ഗവൺമെൻറ് നിർദ്ദേശിച്ചിരിക്കുന്നു.

SCHEDULE

District.—Alleppey — *Taluk.*—Ambalapuzha

Village	*Survey No.*	*Description*	*Extent* (*in ares*)
Purakkad	221/5-1	Dry	09.71
Ambalapuzha	67/1-26	do.	04.45
Do.	27/1-2	do.	22.84
Punnapra	46/1B6	do.	02.65
Do.	46/1B7	do.	04.60
		Total	44.25

II

No. 38140/D1/77/PW.   *Dated, Trivandrum, 1st August 1977.*

Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President has in Notification No. 2/4/63/Judl. II, dated 31-5-1963 entrusted the Government of Kerala with their consent the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) in relation to the acquisition of lands for the purpose of the Union in the Kerala State;

And whereas it appears to the Government of Kerala that the lands specified in the schedule below are needed or are likely to be needed for a public purpose, to wit for the formation of N. H. 47, notice to that effect is hereby given to all whom it may concern, in accordance with the provisions of Section 3 (1) of the said Act.

Under sub section (4) of Section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of Section 5 of the Act shall not apply to this case.

ഇൻഡ്യൻ ഭരണഘടനയുടെ 258–ാം വകുപ്പിലെ (1)–ാം ഉപവകുപ്പ് അനുശാസിക്കുന്ന അധികാരം ഉപയോഗിച്ച് ഇൻഡ്യൻ പ്രസിഡന്റ് 1963 മെയ് മാസം 31–ാം തീയതിയിലെ നമ്പർ 2/4/63/Judl. II നോട്ടിഫിക്കേഷൻ പ്രകാരം കേരള ഗവൺമെന്റിനെ, അവരുടെ സമ്മതത്തോടുകൂടി 1961–ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962–ലെ 21–ാം ആക്റ്റ്) പ്രകാരം കേരള സംസ്ഥാനത്തിൽ കേന്ദ്ര ഗവൺമെന്റ് ആവശ്യത്തിലേക്ക് എടുക്കുവാനുദ്ദേശിക്കുന്ന ഭൂമിയെ സംബന്ധിച്ചിടത്തോളം കേന്ദ്രഗവൺമെന്റിന്റെ പ്രവർത്തികം ചെയ്യുവാൻ ഏൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ വിവരിക്കുന്ന ഭൂമി ഒരു പൊതുകാര്യത്തിന് അതായത്, നാഷണൽ ഹൈവേ 47–ന്റെ വികസനത്തിന് ആവശ്യമാകാനിടയുണ്ടെന്ന് കേരള ഗവൺമെന്റിന് ബോധ്യമായിരിക്കുന്നതിനാലും, അപ്രകാരം ആവശ്യപ്പെടുന്നു എന്ന അറിയിപ്പ് ടി ആക്ടിലെ 3 (1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകളനുസരിച്ച് അതു സംബന്ധിച്ച എല്ലാപേർക്കും നൽകിയിരിക്കുന്നു.

ടി ആക്റ്റ് 19–ാം വകുപ്പ് 4–ാം ഉപവകുപ്പുപ്രകാരം സംഗതിയുടെ അടിയന്തിരാവസ്ഥ പരിഗണിച്ച് ഇതിൽ ടി ആക്ട് 5–ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ബാധകമല്ലെന്ന് ഗവൺമെന്റ് നിർദ്ദേശിച്ചിരിക്കുന്നു.

SCHEDULE

District.—Alleppey. *Taluk.*—Sherthalai.

Village.—Thuravoor North.

Sl. No.	*Survey Number*	*Extent in Ares*
1.	250/12/A6-2	0.735
2.	250/12/A2/2	0.770
3.	250/12/A9/2	0.920
4.	250/12/D3/2	0.680
5.	250/9	0.375
6.	302/1/19	0.880
7.	302/16	0.290
8.	302/10	0.810
9.	302/12-1	1.200
10.	302/13	0.406
	Total	7.066

III

No. 35465/D1/77/PW. *Dated, Trivandrum, 1st August, 1977.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) in relation to the acquisition of lands for the purpose of the Union in the Kerala State;

And whereas it appears to the Government of Kerala that the lands specified in the Schedule below are needed or are likely to be needed for a public purpose, to wit N. H. 47 widening and strengthening to Trichur Karukutty Reach, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 3(1) of the said Act. Under sub-section (4) of Section 19 of the said Act the Government direct that in view of the urgency of this case the provisions under Section 5 of the Act shall not apply to this case.

ഭരണഘടന, 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി, യൂണിയന്റെ ആവശ്യങ്ങൾക്കായി കേരള സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21-ാം ആക്ട്) പ്രകാരം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവൃത്തികൾ 31-5-1963-ാം തീയതിയിലെ 2/4/63/Jdl. II-ാം നമ്പർ പരസ്യ പ്രകാരം കേരള ഗവൺമെന്റിനെ ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും;

താഴെ കാണിച്ചിരിക്കുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമി ഒരു പൊതു കാര്യത്തിന് അതായത് നാഷണൽ ഹൈവെ 47, തൃശ്ശൂർ കറുകുററി റീച്ച് വീതികൂട്ടി വികസിപ്പിക്കുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള ഗവൺമെന്റിന് തോന്നുന്നതിനാലും അതിനുള്ള നോട്ടീസ് അതു സംബന്ധിക്കുന്ന എല്ലാവർക്കും മേപ്പടി ആക്ട് 3 (1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകൾ അനുസരിച്ച് ഇതിനാൽ നൽകിയിരിക്കുന്നു. ടി ആക്ററ് 19(4) വകുപ്പുപ്രകാരം സംഗതിയുടെ അടിയന്തിരാവസ്ഥ പരിഗണിച്ച് പ്രസ്തുത ആക്ററ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ഈ സംഗതിയിൽ ബാധകമല്ലെന്ന് ഇതിനാൽ നിർദ്ദേശിച്ചിരിക്കുന്നു.

SCHEDULE

District.—Trichur

Taluk.—Mukundapuram *Village.*—Thoravu

(The extent given is approximate)

Sl. No.	*Survey No.*	*Description*	*Extent in Hectare*
1	177/7 part	Dry	0.0040
2	184/2 ,,	Wet (now partly dry)	0.0060
		Total extent	0.0100

By order of the Governor,

M. C. RAJA RAJA VARMA,
Deputy Secretary to Government.

DECLARATION

No. 18603/D1/77/PW. *Dated, Trivandrum, 1st August 1977.*

Whereas in exercise of the powers conferred by clause (1) of article 258 of the Constitution, the President has in his Notification No. 2/4/63/Judl, II dated 31-5-1963 entrusted the Government of Kerala, with their consent the functions of the Central Government, under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962) in relation to acquisition of land for the purpose of the Union, in this State;

And whereas under sub-section (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to the land specified in the schedule below;

And whereas the Government are satisfied that the said land has to be acquired for a public purpose;

The Government of Kerala hereby declare under Section 6 of the Act that the land specified in the schedule below and measuring 0.0200 Hectare be the same a little more or less, is needed for a public purpose, to wit for the formation of Block 10 B of N. H. 47 and under Section 7 of the Act direct the Tahsildar, Alathur to take order for the acquisition of the land. Further, under sub-section (1) of Section 19 of the Act, the Government direct that the Collector may take possession of the land on the expiry of fifteen days from the date of publication of the notice mentioned in sub-section (1) of Section 9 of the Act.

A plan of the land is kept in the office of the Tahsildar, Alathur and may be inspected at any time during office hours.

ഭരണഘടന 258-ാം വകുപ്പ് (1)-ാം ഖണ്ഡത്താൽ നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി യൂണിയന്റെ ആവശ്യത്തിനായി ഈ സംസ്ഥാനത്ത് ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ചിടത്തോളം 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം കേന്ദ്രഗവൺമെന്റിന്റെ പ്രവർത്തികൾ തന്റെ 31-5-1963-ാം തീയതിയിലെ 2/4/63/Judl. II-ാം നമ്പർ പരസ്യപ്രകാരം കേരള ഗവൺമെന്റിനെ, ആ ഗവൺമെന്റിന്റെ സമ്മതത്തോടുകൂടി ഭരമേൽപ്പിച്ചിരിക്കയാലും;

പ്രസ്തുത ആക്റ്റ് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പുപ്രകാരം കേരള ഗവൺമെന്റ് പ്രസ്തുത സംഗതിയുടെ അടിയന്തിരസ്ഥിതി പരിഗണിച്ച്, ആക്റ്റ് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പട്ടികയിൽ വിവരിച്ചിട്ടുള്ള ഭൂമിക്ക് ബാധകമല്ലെന്ന് നിർദ്ദേശിക്കയാലും;

പ്രസ്തുത ഭൂമി ഒരു പൊതുകാര്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് ഗവൺമെന്റിന് ബോദ്ധ്യപ്പെട്ടിരിക്കുന്നതിനാലും;

കേരള ഗവൺമെന്റ് താഴെ കാണുന്ന പട്ടികയിൽ വിവരിച്ചിട്ടുള്ളതും 0.0200 ഹെക്ടർ വിസ്തീർണ്ണമുള്ളതുമായ ഭൂമി, അത് അത്ര തന്നെയോ അതിൽ അൽപ്പം കുറവോ കൂടുതലോ ആയിരുന്നാലും വേണ്ടതില്ല, ഒരു പൊതുകാര്യത്തിന് അതായത്, നാഷണൽ ഹൈവേ 47-ാം നമ്പരിന്റെ 10B ബ്ലോക്ക് രൂപീകരിക്കുന്നതിന് ആവശ്യമാണെന്ന് ആക്റ്റ് 6-ാം വകുപ്പു പ്രകാരം ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, ആ ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിപ്പാൻ ആക്റ്റ് 7-ാം വകുപ്പു പ്രകാരം ആലത്തൂർ തഹശീൽദാർ എന്ന ആളോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു; ആക്റ്റ് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിൽ പറഞ്ഞിരിക്കുന്ന നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിഞ്ഞാൽ കളക്ടർക്ക് ആ ഭൂമി കൈവശപ്പെടുത്താവുന്നതാണെന്നും കൂടി ആക്റ്റ് 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം ഗവൺമെന്റ് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

സ്ഥലത്തിന്റെ പ്ലാൻ ആലത്തൂർ തഹശീൽദാർ എന്ന ആളുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുണ്ട്. ആഫീസ് സമയത്ത് എപ്പോഴെങ്കിലും അത് പരിശോധിക്കുകയും ചെയ്യാം.

SCHEDULE

District—Palghat. *Taluk*—Alathur.
Village—Vadakkanchery I. *Amsom and desom.*—Ayakkad.

(The extent given is approximate)

Survey No.	*Description*	*Extent in hectare*
145K/9	U. D.	0.0200

By order of the Governor,

M. C. Raja Raja Varma,
Deputy Secretary to Government.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1977.

Government of Kerala
1977

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXII] Trivandrum, Friday, 5th August 1977 / 14th Sravana 1899 [No. 451

NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

No. B. 1692/73. *3rd August, 1977.*

Notice is hereby given that the Government intend to take possession of the land mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the land are required to appear in person or by authorised agent on 22-8-1977 before the Special Tahsildar, L. A. (NH) Alleppey and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the land and the amount and particulars of their claim to compensation for such interests in the land and their objections, if any to the measurements made under section 8 of the Act.

Note.—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961–ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962–ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതു കാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ, അധികൃത

ഏജൻറുമുഖമോ 1977 ആഗസ്ററ് 22–ാം തീയതി ആലപ്പുഴ നാഷണൽ ഹൈവേ ലാൻറ് അക്വിസിഷൻ സ്പെഷ്യൽ തഹശീൽദാർ മുമ്പാകെ ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശങ്ങളും സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്ററ് 8–ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവു സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്ന് കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജൻറുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റേറററുമെൻറ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്.—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ച ചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ച ചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം, അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയയ്ക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്ററ് 11–ാം വകുപ്പുപ്രകാരം കളക്ടർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

Particulars of land

District—Alleppey *Taluk*—Karthigappally.

Village	*Sy. No.*	*Description*	*Extent* *Are*	*Sqm.*
Kumarapuram	806/A6	Wet	1	50
,,	806/A8	,,	0	76
,,	806/A9	,,	0	45
,,	3210/7	Dry	0	77
,,	1016/5	,,	2	80
,,	1016/4	Wet	0	64
Karthigapally	597/5	Dry	1	50
Harippad	1966/2	,,	0	75
,,	1966/4	,,	0	40
,,	1967/6	,,	0	64
,,	1968/4	,,	0	75
Karuvatta	1723/8	,,	1	31
Chingoli	229/3	,,	6	01

(Sd.)

Alleppey. *Special Tahsildar L. A. (NH).*

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Government of Kerala
1977

Reg. No. KL/TV/12

KERALA GAZETTE

EXTRAORDINARY

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 7142/LA4A/1977. *Dated, Trivandrum, 5th August 1977.*

The Kerala Public Libraries Bill, 1977 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1977.

33/2807/MC

Fifth Kerala Legislative Assembly

Bill No. 35

THE KERALA PUBLIC LIBRARIES BILL, 1977

A

BILL

to provide for the establishment and maintenance of public libraries and the development and organisation of a comprehensive rural and urban library service in the State of Kerala.

Preamble.—WHEREAS it is expedient to provide for the establishment and maintenance of public libraries and the development and organisation of a comprehensive rural and urban library service in the State of Kerala and for matters connected therewith;

BE it enacted in the Twenty-eighth Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Public Libraries Act, 1977.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint; and different dates may be appointed for different provisions of this Act.

2. *Exemption.*—Except as provided in this Act, nothing herein shall apply to libraries maintained by—

(a) universities or other educational or research institutions;

(b) departments or offices of the Government;

(c) local or other authorities; or

(d) associations of persons whether incorporated or not.

3. *Definitions.*—In this Act, unless the context otherwise requires,—

(1) "affiliated library" means a library affiliated to the Grandhasala Sangham;

(2) "aided library" means a recognised library receiving aid from the Government;

(3) "book" includes every volume, part or division of a volume, and pamphlet in any language;

(4) "Director of Libraries" means the Director of Libraries appointed under section 10;

(5) "district" means a revenue district;

(6) "District Librarian" means the librarian appointed by the Government to be in charge of a district library and having such functions and duties in relation to other libraries, library services, delivery services and delivery stations in the district, as may be prescribed;

(7) "district library" means—

(i) a library established or maintained by a District Library Authority for serving the library needs of the district and includes the branches, delivery services and delivery stations of such a library;

(ii) a library established or maintained by the Government and handed over to the District Library Authority for being run by that authority;

(iii) a library established or maintained by any local or other authority handed over to the District Library Authority for being run by that authority;

(8) "District Library Authority" means a District Library Authority constituted for a district under section 11;

(9) "Grandhasala Sangham" means the Kerala Grandhasala Sangham;

(10) "notification" means a notification published in the Gazette;

(11) "prescribed" means prescribed by rules made under this Act;

(12) "recognised library" means a library recognised under section 21;

(13) "State" means the State of Kerala;

(14) "State Library" means a State Library established under this Act;

(15) "State Library Authority" means the Kerala State Library Authority constituted under section 4;

(16) "year" means the financial year.

Chapter II

The Kerala State Library Authority

4. *Constitution and composition of the Kerala State Library Authority.*—(1) As soon as may be after the commencement of this Act, the Government may, by notification, constitute a library authority for the State, to be called the Kerala State Library Authority, which shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

(2) The State Library Authority shall consist of—

(a) the Minister of the State for the time being in charge of Education, *ex-officio*, who shall be the Chairman of the Authority;

(b) the Secretary to Government in the Education Department, *ex-officio*, who shall be the Vice-Chairman of the Authority;

(c) two persons elected by the members of the Kerala Legislative Assembly from among themselves;

(d) one person elected by the members of the Syndicate of each of the Universities in the State from among themselves;

(e) three persons elected by the members of the Bharana Samithi of the Grandhasala Sangham from among themselves;

(f) two persons elected by the Chairman of the District Library Authorities in the State from among themselves;

(g) one person elected by the members of the Kerala Sahitya Akademi from among themselves;

(h) one person elected by the members of the Kerala Sangita Nataka Akademi from among themselves;

(i) one person elected by the members of the Kerala Lalithakala Akademi from among themselves;

(j) one expert in library science nominated by the Government;

(k) the Director of Public Instruction of the State, *ex-officio*; and

(l) the Director of Libraries, *ex-officio*:

Provided that for the first constitution of the State Library Authority, two persons interested in library movement may be nominated by the Government in the places of those to be elected under clause (f).

5. *Term of office.*—(1) Save as otherwise provided in this Act, the term of office of the members of the State Library Authority, other than the *ex-officio* members, shall be five years commencing from the date on which the first meeting of the authority is held:

Provided that every member other than an *ex-officio* member shall continue to hold office until his successor assumes office.

(2) An outgoing member of the State Library Authority shall be eligible for re-election or re-nomination, as the case may be.

6. *Vacancies.*—A casual vacancy caused by death, resignation or disability of a member, or otherwise, in the State Library Authority shall be filled as early as possible by the election or nomination, as the case may be, of a suitable person in accordance with the provisions of sub-section (2) of section 4 or section 13, and any person so elected or nominated to fill a vacancy shall hold office only so long as the member in whose place he is elected or nominated would have held office if the vacancy had not occurred.

7. *Meetings of the State Library Authority.*—(1) The State Library Authority shall meet at least twice a year on dates to be fixed by the Chairman, and one of such meetings shall be the annual meeting.

(2) The Chairman may, whenever he thinks fit, convene a special meeting of the State Library Authority for the transaction of urgent business.

(3) Subject to such conditions as may be prescribed, a special meeting shall be convened by the Chairman to discuss matters of urgent importance upon a requisition by not less than one-third of the total number of members of the State Library Authority.

(4) One-third of the total number of members of the State Library Authority shall be the quorum for a meeting of the authority.

(5) The Chairman or, in his absence, the Vice-Chairman or, in the absence of both the Chairman and the Vice-Chairman, any member chosen by the members present from among themselves shall preside at a meeting of the State Library Authority.

(6) The Chairman and the Vice-Chairman shall exercise such other powers and perform such other duties as may be prescribed.

8. *Procedure of State Library Authority.*—(1) The State Library Authority shall transact business by resolutions passed in such manner and in accordance with such procedure as may be prescribed.

(2) Copy of every resolution with reason for passing it shall be forwarded to the Government within fifteen days of passing that resolution.

(3) The Government may call for any additional information regarding any resolution from the State Library Authority and such authority shall be bound to furnish such information.

(4) The Government may, after giving reasonable notice to the State Library Authority and after hearing its objections, if any, suspend or cancel any resolution passed by the authority.

9. *Powers and functions of State Library Authority.*—Subject to the other provisions of this Act and the rules made thereunder, the State Library Authority may—

(a) advise the Government on all matters connected with the administration of this Act;

(b) co-ordinate the working of the District Library Authorities;

(c) superintend and direct all matters relating to library service in the State;

(d) in consultation with the Government establish one or more State Libraries at such place or places in the State as may be considered necessary;

(e) appoint and control such officers and servants as may be necessary for the efficient performance of its duties and functions under this Act and the rules made thereunder; and

(f) exercise such other powers and perform such other duties as are conferred on it by this Act and the rules made thereunder.

10. *Director of Libraries.*—(1) The Government may appoint a person having the prescribed qualifications to be the Director of Libraries.

(2) The Director of Libraries shall *ex-officio* be the Secretary and the chief executive authority of the State Library Authority.

(3) It shall be the duty of the Director of Libraries to give effect to the resolutions of the State Library Authority unless they are suspended or cancelled by the Government under sub-section (4) of section 8.

(4) The Director of Libraries shall exercise such other powers and perform such other duties as are or may be conferred or imposed on him by or under this Act or the rules made thereunder.

CHAPTER III

District Library Authorities

11. *Constitution of District Library Authorities.*—(1) For the purpose of organising and administering library service at the district level, the Government may, by notification, constitute a District Library Authority for each district in the State.

(2) Every District Library Authority shall be a body corporate by the name of the district for which it is constituted, having perpetual succession and a common seal with power, subject to the provisions of this Act and the rules made thereunder, to acquire, hold and dispose of property, both movable and immovable, to contract and to do all things necessary, proper or expedient for the purpose for which it is constituted and shall, by the said name sue and be sued.

12. *Composition of District Library Authorities.*—(1) Every District Library Authority shall consist of—

(a) one person elected by the members of the municipal council or municipal corporation, as the case may be, within the limits of which the library is situated;

(b) five persons elected by the Presidents of the panchayats and townships in the district, from among themselves;

(c) two persons elected by the members of the municipal councils and municipal corporations in the district other than that mentioned in clause (a) from among themselves;

(d) three persons elected by the members of the Bharana Samithi of the Grandhasala Sangham ordinarily resident in the district, from among themselves;

(e) one person nominated by the Collector of the district from among the residents of the district, who, in his opinion, is interested in the development of the library movement;

(f) one person nominated by the State Library Authority from each of the following groups:—

(i) officers of the Education Department in the district;

(ii) the teaching staff of the colleges in the district; and

(iii) the Headmasters of the High Schools in the district; and

(g) the District Librarian, *ex-officio*.

(2) The Chairman and the Vice-Chairman of the District Library Authority shall be elected by the members of the authority from among themselves.

13 *Nomination of members by Government in default of election or nomination under section 4 or section 12.*—If any member is not elected under clause (c) or (d) or (e) or (f) or (g) or (h) or (i) of sub-section (2) of section 4 or if any member is not elected or nominated, as the case may be, under clause (a) or (b) or (c) or (d) or (e) or (f) of sub-section (1) of section 12, within such period as may be prescribed, the Government may, by notification, nominate a person qualified to be elected or nominated, as the case may be, to fill that vacancy, and the person so nominated shall be deemed to be a member duly elected or nominated under that clause.

14. *Term of office.*—(1) Save as otherwise provided in this Act, the term of office of the members of a District Library Authority, other than the *ex-officio* members, shall be five years commencing from the date on which the first meeting of the authority is held:

Provided that every member other than the *ex-officio* member shall continue in office until his successor assumes office.

(2) An outgoing member of a District Library Authority shall be eligible for re-election or re-nomination, as the case may be.

15. *Vacancies.*—A casual vacancy caused by death, resignation or disability of a member or otherwise, in the District Library Authority shall be filled as early as possible by election or nomination, as the case may be, of a suitable person in accordance with the provisions of section 12 or section 13 and any person so elected or nominated to fill a vacancy shall hold office only so long as the member in whose place he is elected or nominated would have held office if the vacancy had not occurred.

16. *Disqualifications of members of State Library Authority and District Library Authority.*—A person shall be disqualified for being chosen as and for being, a member of the State Library Authority or a District Library Authority,—

(a) if he absents himself without excuse, sufficient in the opinion of the State Library Authority or the District Library Authority, as the case may be, from three consecutive meetings of the authority; or

(b). if he ceases to hold the office or be a member of the body or authority by virtue of which he has been elected or nominated; or

(c) if he has been sentenced by a criminal court for an offence involving moral turpitude and punishable with imprisonment for a term exceeding three months, such sentence not having been subsequently reversed, quashed or remitted, unless he has, by order, which the Government are hereby empowered to make in this behalf, been relieved from the disqualification arising on account of such sentence; or

(d) if he is an undischarged insolvent; or

(e) if he is of unsound mind and stands so declared by a competent court.

17. *Meetings of District Library Authorities.*—(1) Every District Library Authority shall meet at least once in every three months on dates to be fixed by the Chairman and one of such meetings shall be the annual meeting.

(2) The Chairman may, whenever he thinks fit, convene a special meeting of the District Library Authority for the transaction of urgent business.

(3) Subject to such conditions as may be prescribed, a special meeting shall be convened by the Chairman to discuss matters of urgent importance upon a requisition by not less than one-third of the number of members of the District Library Authority.

(4) One-third of the total number of members of the District Library Authority shall be the quorum for a meeting of the authority.

(5) A District Library Authority shall transact business by resolutions passed in such manner and in accordance with such procedure as may be prescribed.

(6) Copy of every resolution shall be forwarded to the State Library Authority within fifteen days of passing that resolution.

(7) The Government may after giving reasonable notice to the District Library Authority and after hearing its objections, if any, suspend or cancel any resolution passed by the authority.

18. *Powers and duties of Chairman and Vice-Chairman of District Library Authority.*—(1) The Chairman of a District Library Authority may preside at the meetings of the authority and exercise such powers and perform such duties as may be prescribed.

(2) The Vice-Chairman of a District Library Authority may, in the absence of the Chairman, preside at the meetings of the authority and exercise such powers and perform such duties of the Chairman as the Chairman may, from time to time, delegate to him.

19. *District Librarians.*—(1) Every District Librarian shall be appointed by the Government.

(2) The qualifications, method of appointment, pay and other conditions of service of the District Librarians shall be such as may be prescribed.

(3) The District Librarian shall *ex-officio* be the Secretary and the chief executive authority of the District Library Authority.

(4) The District Librarian shall carry into effect the resolutions of the District Library Authority unless they are suspended or cancelled by the Government under sub-section (7) of section 17.

(5) The District Librarian shall generally assist the District Library Authority in performing its functions, and exercise such other powers and perform such other duties as may be conferred or imposed on him by or under this Act or the rules made thereunder.

20. *Powers and functions of District Library Authorities.*—Save as otherwise provided in this Act, every District Library Authority shall have power—

(a) to supervise, co-ordinate and control the library service under its jurisdiction in the district;

(b) to provide library service to the persons residing in the district;

(c) to appoint officers and servants necessary for the efficient performance of its duties and functions and for the transaction of business in regard to the libraries under its jurisdiction;

(d) to provide suitable lands and buildings for public libraries and the furniture, fittings, equipment and other conveniences necessary for the purpose;

(e) to provide such libraries with books, periodicals, newspapers, maps, gramaphone records, manuscripts, works and specimens of art and science, lantern slides, films, cinema projectors, recorders and the like;

(f) to shift or close any public library;

(g) to accept any endowment or gift for any purpose connected with its activities;

(h) to provide for lectures and conduct other activities as may be conducive to the carrying out of the purposes of this Act;

(i) with the sanction of the Government, to do any other thing that may be conducive to the furtherance of the purposes of this Act; and

(j) to exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Act or the rules made thereunder.

21. *Recognition of libraries for aid.*—(1) Any library other than a library under the supervision and control of the State Library Authority or a District Library Authority may apply to the District Library Authority of the district in which it is situated for recognition as a recognised library under this Act.

(2) An application under sub-section (1) may be accompanied by a recommendation of the district unit of the Grandhasala Sangham in the prescribed form indicating to what extent the library has complied with the conditions prescribed for such recognition.

(3) The District Library Authority shall consider the application and the recommendation, if any, and if it is satisfied that the conditions for granting recognition have been complied with, grant recognition to the library and on such recognition being granted, the library shall be eligible for aid.

Chapter IV

Development Plan, Cess and Funds

22. *Library Development Plan.*—(1) Subject to the provisions of this Act and the rules made thereunder, and to the general or special orders of the Government, if any, in this behalf, a District Library Authority may, after consulting the Grandhasala Sangham, prepare a District Library Development Plan for establishing, coordinating and spreading library service within the entire district or part thereof, in such form and manner and containing such particulars as may be prescribed.

(2) The District Library Development Plan shall thereafter be forwarded to the Director of Libraries who shall submit it to the Government with the views of the State Library Authority.

(3) The Government may, if they deem fit, sanction the District Library Development Plan with or without alterations.

(4) The Government may, on application by the District Library Authority concerned, and in consultation with the State Library Authority, modify any District Library Development Plan sanctioned under sub-section (3).

(5) As soon as may be after the sanctioning of a District Library Development Plan, the Director of Libraries shall, in conformity with the provisions of the said plan, make an order called the District Library Development Order, specifying the extent and nature of the library service which shall be established and maintained by the District Library Authority, the measures to be taken by the District Library Authority for providing adequate library service to the people in the area and the stages in which such measures shall be taken.

(6) Every District Library Authority shall give effect to the District Library Development Plan as sanctioned by the Government under sub-section (3) and the District Library Development Order made under sub-section (5).

23. *Library cess.*—(1) For the purpose of meeting the expenditure in connection with the library service in a district, a District Library Authority may, with effect from such date as the Government may notify in this behalf, levy a library cess on all persons in the district liable to pay property tax to any local authority under the law governing the constitution and powers of that local authority at not more than ten per cent of such tax and such cess shall be deemed to be an addition to such property tax.

(2) The levy of the cess under sub-section (1) shall be published in the prescribed manner and notified to all the local authorities in the district entitled to levy and collect property tax under the law referred to in sub-section (1), to enable them to collect the same along with the property tax.

(3) The probable amount of library cess due under sub-section (1) to a District Library Authority from each of the local authorities in the district shall be paid by the Government in advance by deduction from the grant or other amount payable by the Government to that local authority.

(4) If no grant or other amount is payable to a local authority by the Government or if the grant or other amount payable is not sufficient to cover the library cess due, the whole of the amount of the cess or such portion of it as remain uncovered shall be deemed to be a loan granted by the Government to the local authority concerned under the law relating to the grant of loans to local authorities in force from time to time.

(5) The Library cess levied under sub-section (1) shall be collected by the local authorities along with the property tax and the procedure for the demand, levy and collection of the property tax shall, *mutatis mutandis* apply to the demand, levy and collection of the library cess.

(6) The local authorities shall reimburse themselves by collecting the library cess along with the property tax and if the library cess collected is more or less than the sum mentioned in sub-section (3) the difference shall be adjusted in the prescribed manner.

24. *Government grant to District Library Authorities.*—(1) The Government may make annually a grant to every District Library Authority of a sum which shall not be less than the amount collected by way of library cess under section 23.

(2) The amount of such grant shall be credited to the District Library Fund maintained under section 25, at such times and in such manner as may be prescribed.

25. *The District Library Fund.*—(1) Every District Library Authority shall maintain a fund called the District Library Fund, from which all the expenses of that authority shall be met.

(2) The following sums shall be credited to the District library Fund:—

(a) the Library cess collected under section 23;

(b) the grant made under section 24;

(c) contributions, gifts and income from endowments, granted to the authority;

(d) any other grant which the Central or State Government may make.

26. *State Library Fund.*—(1) The State Library Authority shall maintain a fund called the State Library Fund from which all the expenses of that authority shall be met.

(2) The following sums shall be credited to the State Library Fund:—

(a) grants which the State Government may make to the State Library Authority;

(b) grants which the Central Government may make to the State Library Authority;

(c) contributions and gifts made to the State Library Authority.

27. *Accounts.*—(1) The State Library Authority and every District Library Authority shall keep complete accounts of their financial transactions in such form as may be prescribed.

(2) The Accounts shall be open to inspection and shall be subject to audit, disallowance and surcharge and shall be dealt with in all other respects in such manner as may be prescribed.

28. *Inspection of libraries.*—(1) The Director of Libraries or the District Librarian may, and if directed by the appropriate Library authority, shall, inspect any library under his jurisdiction for verifying whether the provisions of this Act and the rules and bye-laws made thereunder are duly observed by the libraries.

(2) In all cases where such inspections are made, the inspecting officer shall submit a detailed report of his inspection to the appropriate library authority.

(3) The appropriate Library Authority may consider the report submitted under sub-section (2) and pass such resolution in regard thereto as it may deem fit, and the library concerned shall be bound to comply with such resolution unless it is suspended or cancelled by the Government.

Chapter V

Reports and Returns

29. *District Library Authority to submit reports etc.*—Every District Library Authority shall submit such reports and returns and furnish such information to the Director of Libraries or any person authorised by him in that behalf, as the Director of Libraries or the person so authorised may, from time to time, require.

30. *Annual report.*—(1) The Director of Libraries shall in respect of each year, prepare a report of the working of the State Library Authority during that year along with such information and particulars as may be prescribed and submit such report to the Government before such date as the Government may, by order, specify.

(2) The Director of Libraries shall, in respect of each year, prepare a report of the working of the District Library Authorities during that year along with such information and particulars as may be prescribed and submit the report to the Government before such date as the Government may, by order, specify.

Chapter VI

Miscellaneous

31. *Power to make rules.*—(1) The Government may, after previous publication, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the method of election or nomination of members to the State Library Authority and the District Library Authorities;

(b) the administration, inspection and management of State Libraries;

(c) the maintenance of accounts, by the State Library Authorities and the District Library Authorities and the publication of audited statement of accounts and the reports of auditors;

(d) the grants to libraries and the standards to be maintained by such libraries;

(e) the maintenance of State Registers of Libraries and of Librarians;

(f) the restrictions and conditions subject to which the State Library Authority or a District Library Authority may enter into contract or hold or dispose of property;

(g) conditions of service of the officers and servants of the State Library Authority and the District Library Authorities and of the persons employed in the Libraries under their control, and supervision;

(h) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

32. *Powers of State Library Authority and District Library Authorities to make bye-laws.*—(1) The State Library Authority and every District Library Authority may, subject to the provisions of this Act and the rules made thereunder and with the previous approval of the Government, by notification, make bye-laws generally to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such bye-laws may provide for all or any of the following matters, namely:—

(a) the admission of the public to the libraries under the control of the State Library Authority or the District Library Authority:

Provided that no fee shall be charged for such admission;

(b) the guarantee or security to be furnished by the persons desiring to use such libraries, against injury to, or misuse, destruction or loss of, the property of such libraries;

(c) the manner in which the properties of such libraries may be used and the protection of such properties from injury, misuse, destruction or loss;

(d) the authority to be exercised by the officers and servants of the State Library Authority or the District Library Authorities for the purpose of exclusion or removal from any such library of any person who contravenes any provision of this Act or of any rule of bye-law made thereunder.

(3) The power to make bye-laws under this section shall be subject to the condition of previous publication of the bye-laws in the Gazette for a period of not less than thirty days.

(4) The Government may, by notification, modify or cancel any bye-law made by State Library Authority or a District Library Authority under this section:

Provided that before modifying or cancelling any bye-law, the Government shall give the State Library Authority or the District Library Authority concerned a reasonable opportunity to make its representations in the matter.

33. *Supersession of the State Library Authority or the District Library Authorities by the Government.*—(1) If, at any time, it appears to the Government that the State Library Authority or a District Library Authority has failed to perform any of its functions or has exceeded or abused any of the powers conferred upon it by or under this Act, the Government may communicate the particulars thereof to the State Library Authority or to the District Library Authority concerned, as the case may be and if the State Library Authority or District Library Authority omits to remedy such failure, excess or abuse or to give an explanation which in the opinion of the Government is satisfactory, the Government may supersede the State Library Authority or the District Library Authority, as the case may be, for such period as the Government may direct.

(2) On the supersession of the State Library Authority or a District Library Authority under sub-section (1),—

(a) all the powers and duties of that authority shall, during the period of supersession, be exercised and performed by such person or persons as the Government may, from time to time, appoint in this behalf;

(b) all property vested in that authority shall, during the period of supersession, vest in the Government; and

(c) on the expiry of the period of supersession, the authority shall be reconstituted in the manner provided in this Act.

34. *Validity of Acts and Proceedings.*—No act done, or proceedings taken, under this Act shall be questioned merely on the ground—

(a) of any vacancy or defect in the constitution of any authority or any committee thereof; or

(b) of any defect or irregularity in such act or proceedings not affecting the merits of the case.

35. *Transfer of existing libraries.*—(1) On and from such date as the Government may fix for each district after the constitution of the District Library Authority for that District, all the affiliated libraries and public libraries in that district along with their library services, delivery centres and other matters, and things connected therewith shall stand transferred to, and vested in, the District Library Authority of that district.

(2) All properties movable or immovable and all assets and liabilities of such affiliated libraries and public libraries in existence immediately before the date fixed under sub-section (1) for the purposes of the said libraries shall vest in and be deemed to be the properties, assets and liabilities of the District Library Authority.

(3) The Libraries vested in the District Library Authority under sub-section (1) shall be deemed to be libraries established under this Act, and the provisions of this Act and the rules and bye-laws made thereunder shall apply to those libraries as if they are libraries established under this Act.

(4) All persons employed for the purposes of the libraries referred to in sub-section (1) and in service immediately before the date fixed under that sub-section shall, as from that date, stand transferred to the control and supervision of the District Library Authority concerned and be in the service of that District Library Authority.

(5) The powers referred to in sub section (4) shall be subject to the conditions of service which were applicable to them immediately before the date of the transfer by that sub-section, until they are altered in accordance with law.

Explanation.—For the purposes of this section, "public library" means a library established or maintained by a Local Library Authority under the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948) and includes the branches and delivery station of such a library.

36. *Repeal.*—The Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), is hereby repealed.

STATEMENT OF OBJECTS AND REASONS

The system of library administration in the State is not uniform throughout the State. In the Malabar area, the Madras Public Libraries Act, 1948 (Madras Act XXIV of 1948), is still inforce, according to which the responsibility for the administration of library service vests in the Local Library Authorities constituted under the Act. In the Travancore-Cochin area, the library administration has not been brought under the aegis of any

legislation. There is a privately promoted system of small local libraries in this area, each independent of the other. These have been promoted by the Kerala Grandhasala Sangham, an Organisation registered under the Travancore Companies Act, 1114 (IX of 1114). There are over 3500 libraries in the State and these libraries are assisted by the Government by payment of grant-in-aid from the general revenues. It is considered necessary to enact a uniform legislation applicable to the whole of the State, to provide for the establishment and maintenance of libraries and the development and organisation of a comprehensive rural and urban library service.

2. The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

Clause 24 of the Bill seeks to provide that the Government may make annually, a grant to every District Library Authority, of a sum which shall not be less than the amount collected by way of library cess. The library cess is to be collected by the local bodies at not more than ten per cent of the property tax. The amount collected by the local bodies during 1974-75 as property tax comes to Rs. 3,64,97,907.97. The library cess due to all District authorities will come to Rs. 36,49,709.07 at the maximum rate of ten per cent. The maximum annual grant from the Government will thus come to nearly Rs. 36 lakhs at 1974-75 level. This is liable to vary according to the changes in the amount of property tax collected by the local authorities and in the percentage rates of library cess that will be fixed by the District Library Authorities. Assuming a trend increase of twelve per cent per year, the expenditure on this account will work out to Rs. 50.56 lakhs.

2. Clauses 10 and 24 seek to empower the Government to appoint the Director of Libraries and District Librarians. An amount of about Rs. 1.5 lakhs will be required by way of pay and allowances for the Director of Libraries and the District Librarians and their staff.

3. An amount of approximately Rs. 2.25 lakhs will have to be given as grant to the State Library Authority as provided in clause 26 of the Bill.

4. Thus the total approximate expenditure to be incurred from the Consolidated Fund of the State will be of the order of Rs. 54 lakhs.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (3) of clause 1 of the Bill seeks to provide that the Act shall come into force on such date as the Government may, by notification in the Gazette, appoint and different dates may be appointed for different provisions of the Act. Sub-clause (1) of clause 4 seeks to empower the Government to constitute a Library authority for the State. Clause 8 seeks to empower

the Government to prescribe the manner and procedure for transaction of business by resolutions by the State Library Authority. Sub-clause (1) of clause 10 seeks to empower the Government to appoint the Director of Libraries and to prescribe qualifications for the post. Sub-clause (1) of clause 11 seeks to provide that the Government may by notification constitute a District Library Authority for each of the districts of the state.

2. Clause 13 seeks to empower the Government to nominate by notification, a person qualified for election or nomination to the State Library Authority or the District Library Authority to be a member of the State Library Authority or the District Library Authority, if any of the bodies referred to in clause 4 or clause 12 does not by such period as may be prescribed, elect or nominate a person to be a member of the State Library Authority or the District Library Authority, as the case may be. Sub-clause (3) of clause 16 seeks to empower the Government to make order relieving a member of the State Library Authority or the District Library Authority from the disqualification arising on account of sentence by a criminal court of an offence, involving moral turpitude. Sub-clause (3) of clause 17 seeks to provide that special meetings of the District Library Authority shall be convened by the Chairman subject to prescribed conditions and sub-clause (5) seeks to provide that a District Library Authority shall transact business by resolutions passed in such manner and in accordance with such procedure as may be prescribed. Sub-clause (1) of clause 18 seeks to provide that the Chairman of a District Library Authority may preside at the meetings of the authority and exercise such powers and perform such duties as may be prescribed. Sub-clause (2) of clause 18 seeks to provide that the Vice-Chairman of a District Library Authority may in the absence of the Chairman, preside at the meetings of the authority and exercise such powers and perform such duties of the Chairman as the Chairman may from time to time delegate. Sub-clause (1) of clause 19 seeks to provide that every District Librarian shall be appointed by the Government and his qualifications, method of appointment, pay and other conditions of service may be prescribed from time to time. Clause 21 seeks to empower Government to prescribe the form of application for recognition as a recognised library under the Act. Clause 22 seeks to empower Government to issue general or special orders regarding the preparation of District Library Development Plan. Sub-clause (1) of clause 23 seeks to provide that a District Library Authority may with effect from such date as the Government may notify in this behalf, levy a library cess on all persons in the district liable to pay property tax at not more than 10 per cent of the tax. Sub-clause (2) further seeks to provide that the levy of cess shall be published in the prescribed manner. Sub-clause (1) of clause 27 seeks to empower the Government to prescribe the form in which accounts of the financial transactions of the State Library Authority and every District Library Authority shall be kept. Sub-clause (2) of clause 27 empowers the Government to prescribe the manner in which the accounts of the State Library Authority and the District Library Authorities shall be dealt with.

3. Sub-clause (1) of clause 30 seeks to provide that the Director of Libraries shall, in respect of each financial year, prepare an annual report of

he working of the District Library Authorities during the year along with such information and particulars as may be prescribed and submit the report to the Government before such date as the Government may by order specify. Sub-clause (2) of clause 30 seeks to provide that the Director of Libraries shall in respect of each financial year prepare an annual report of the working of the State Library Authority during the year along with such information and particulars as may be prescribed and submit the report to the Government before such date as the Government may by order specify. Clause 31 seeks to empower the Government to make Rules to carry out the purposes of the Act. Clause 32 seeks to provide that the State Library Authority and every District Library Authority may subject to the provisions of the Act and the Rules made thereunder and with the approval of the Government by notification make bye-laws generally to carry out the purposes of the Act. Sub clause (4) of clause 32 seeks to provide that the Government may by notification modify or cancel any bye-law made by the State Library Authority or a District Library Authority.

4. The matters in respect of which Rules or bye-laws may be made or notification, order or direction may be issued are matters of an administrative or routine nature or matters of procedure. Further the rules have to be laid before the Legislative Assembly for scrutiny. The delegation of legislative power is, thus of a normal character.

C. H. MOHAMMED KOYA